



2007 SENATE BILL 411

January 24, 2008 – Introduced by Senators TAYLOR and MILLER, cosponsored by Representatives GRIGSBY, FIELDS, KESSLER, MASON, PARISI, SINICKI, TOLES and TURNER. Referred to Committee on Transportation and Tourism.

1 **AN ACT to amend** 343.10 (1) (a) and 343.10 (9) of the statutes; **relating to:**
2 allowing the Department of Transportation to issue occupational licenses
3 following operating privilege suspensions related to motor vehicle financial
4 responsibility violations.

Analysis by the Legislative Reference Bureau

Current law does not generally require motor vehicles operated in this state to be covered by policies of bodily injury and property damage liability insurance. However, current law imposes certain financial responsibility requirements on owners and operators of motor vehicles involved in accidents. If a motor vehicle accident results in injury, death, or property damage of \$1,000 or more, the Department of Transportation (DOT) is required to notify the operator and owner of the vehicle involved in the accident that the person must deposit with DOT security for the accident in an amount specified by DOT, which DOT has determined is sufficient to satisfy any judgment for damages resulting from the accident. Unless an exception applies, if a person fails to timely deposit security after this notice is given, DOT must suspend the person's operating privilege if the person was the vehicle operator. Also, if DOT receives a certified copy of a judgment for damages of \$500 or more arising out of a motor vehicle accident, DOT must immediately suspend the operating privilege and all registrations of the person against whom the judgment was rendered unless the person can provide proof of financial responsibility.

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Also under current law, with certain exceptions and limitations, a person may apply to DOT for an occupational license if the person's operating privilege is revoked or suspended for various specified offenses and the person is engaged in an occupation, trade, or study making it essential that he or she operate a motor vehicle. The occupational license must contain definite restrictions as to hours of the day, hours per week, type of occupation, and areas or routes of travel which are permitted under the occupational license.

This bill allows DOT to issue a person an occupational license if the person's operating privilege has been suspended for failure to deposit security or demonstrate financial responsibility after an accident or judgment arising from an accident. The bill also requires DOT to inform a person whose operating privilege is suspended for these reasons of his or her right to apply for an occupational license.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 343.10 (1) (a) of the statutes is amended to read:

2 343.10 (1) (a) If a person's license or operating privilege is revoked or
3 suspended under this chapter or ch. 344 or s. 767.73, 938.34 (14q), 943.21 (3m), or
4 961.50 and if the person is engaged in an occupation, including homemaking or
5 full-time or part-time study, or a trade making it essential that he or she operate a
6 motor vehicle, the person, after payment of the fee provided in sub. (6), may file an
7 application with the department setting forth in detail the need for operating a motor
8 vehicle. No person may file more than one application with respect to each revocation
9 or suspension of the person's license or operating privilege under this chapter or ch.
10 344 or s. 767.73, 938.34 (14q), 943.21 (3m), or 961.50, except that this limitation does
11 not apply to an application to amend an occupational license restriction.

12 **SECTION 2.** 343.10 (9) of the statutes is amended to read:

